

DEFENDANT - SMF
EXHIBIT 26

Zalewski, Anna

From: Raymond, Barbara
Sent: Wednesday, April 20, 2016 2:26 PM
To: Bushinski, Stephen; Ruscavage, Andrew
Subject: FW: Texts re AG elder abuse & DOH complaints
Attachments: IMG_4236.PNG; IMG_4237.PNG; IMG_4238.PNG

Well at least now I know what Ms. Lewen has been referring to in her various emails (middle image) regarding her statements of 'involuntary deviate sexual intercourse' -- we actually had an anonymous complaint survey (we assumed was [REDACTED] daughter) from DOH regarding this situation, they came in and investigated & the investigation showed no deficient practice.

Barbara L. Raymond, RN, NHA | Commandant PA Department of Military and Veterans Affairs | Bureau of Veterans Homes Pennsylvania Soldiers' & Sailors' Home of Erie
560 East 3rd Street | Erie, PA 16507
Phone: 814.878.4926 | Fax: 814.871.4617
www.dmva.pa.gov

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E-Mail: braymond@pa.gov.

-----Original Message-----

From: Bushinski, Stephen
Sent: Wednesday, April 20, 2016 8:11 AM
To: Bender, Bryan
Cc: Barrett, Michael; Stovall, Denise; Kreiser, Kim (DMVA); Raymond, Barbara; Skinner, Brian
Subject: FW: Texts re AG elder abuse & DOH complaints

Three of three.

And I got one last night, too.

Stephen J. Bushinski | Senior Assistant Chief Counsel PA Department of Military and Veterans Affairs | Office of Chief Counsel Building 7-36, Fort Indiantown Gap Annville, PA 17003-5002
Phone: 717-861-8503 | Fax: 717-861-8265
www.dmva.pa.gov

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Email: sbushinski@pa.gov

-----Original Message-----

From: Nancy Lewen [mailto:lewennancy@gmail.com]

Sent: Wednesday, April 20, 2016 7:00 AM

To: Bushinski, Stephen

Cc: Smith, Frederick

Subject: Texts re AG elder abuse & DOH complaints

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Barry Blasic >

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FEB 4, 7:53 AM

My elder abuse report did get delivered this am. So now I'm fighting the primordial urge to feel like I'm about to get in huge trouble for "telling." I plan to spend the day snacking on trail mix and yogurt while working on getting my financial info together for my mortgage and starting to do some house cleaning. I need to get things tidied up for an inspection in the next few weeks. I figure I should put my Xmas decorations away and that type of

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Barry Blasic >

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Invite Barry to Messenger

FEB 2, 8:37 AM

I filled out a Pennsylvania elder abuse complaint form and mailed it to Harrisburg along with a two page typewritten factual letter. I didn't do it anonymously. Even as I type this, my complaint is in Harrisburg on its way to the Attorney General. I strongly suspect that Barb Raymond never did the mandatory reporting for the involuntary deviate sexual intercourse that was committed against Jesse Lockett over a year ago. There's a 12 year

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Barry Blasic >

Facebook

Invite Barry to Messenger

That said, I read the email from Tom B. about the DOH coming in yesterday and not finding anything wrong yesterday. I also just got the phone call from the DOH inspector explaining how they didn't find anything wrong yesterday. I didn't think that they would find anything wrong yesterday.

👤👤. It's going to be fun just to sit back now and watch how this unfolds.

JAN 29, 8:21 AM

Type a message...

DEFENDANT - SMF
EXHIBIT 27



Nancy Lewen <[REDACTED]>

FW: Residents rights

2 messages

Lewen, Nancy <[REDACTED]>

Fri, Jan 29, 2016 at 6:05 AM

To: [REDACTED]

From: Lewen, Nancy**Sent:** Friday, January 29, 2016 2:58 AM

To: McLaughlin, Kevin; Adebayo, Adeola; Astemborski, Jennifer; Baca, Donna; Baginski, Alan; Basnet, Gopal; Biby, Beth; Bickel, Paula; Birchard, Janet; Blasic, Barry; Bloeser, Denise; Bongutu, Young; Boyd, Denise; Boyd, Pamela; Brink, Charles; Burke, Ann; Cancilla, Jason; Carmichael, Tina; Carney, Colleen; Carothers, Amiesh; Carr, Charmane; Cilluffo, Candace; Cooley, Alyssa; Cubero, Deborah; Cuzzola, Debra; Darby, Tavonna; Dickey, Jodie L; Duck, Lakeya; Dunlap, Letesha; Evans, Charles; Evans, Jennifer; Fabrizi-Romanski, Catina; Fehlman, Joanna; Fike, Michele; Foster, Kathleen; Garcia-Nieves, Xiomara; Grayson, Amy; Green, Cassie; Gresh, Cynthia Marie; Grippe, Shaun; Haight, Peggy; Hamilton, Veronica; Hamm, Raymond; Harden, Henry Joseph; Harris, Carlisha; Hazlett, Regina M; Henderson, Tanesha; Heubel, Emily; Hinkler-Zaborowski, Adelheid; Holmes, Monique; Humes, Jean; Jones, Marjorie; Jones, Yvonne; Karpinski, Kerry; Kenna, Kristy; King, Penny; Kirkland, Jill K; Kovacevic, Emilia; Krahe, Karen; Lagana, Kelli; Langford, Kenneth; Lemke, Francesca; Lentz, Teresa; Marzka, Wilma; McMahon, Kenneth; Mead, Beth; Miller, Vickie; Mingo, Celena; Mitchell, Carla; Mohra, Julie; Mohra, Scott; Morgan, Marcus; Morgan, Pauline; Nowosielski, Sharie; Osborne, Katie; Pears, Christine; Peres, Nancy; Petroff, Heather; Pickens, Cassandra; Ponder, Daphne; Ratcliff, Ernestine; Raun, Kristen; Rice, Laurie; Roberts, Brenda; Roberts, Brittnie; Roberts, Letitia; Roberts, Michelle; Robison, Valonia; Rogers, Sheryl; Rosa, Johanna; Ross, Jennie; Ruiz, Leslie; Slupski, John; Solan, Marissa; Spiegel, Denise; Sprickman, Katie; Stewart, Jillian Eve; Sutton, Susan; Swantek, Nicholas; Tate, Peter; Taylor, Charise; Thompson, Fannie; Townes, Gail; Ward, Watissah; Wayne-Roberts, Jessica; White, Priscilla; Wilkinson, Rhonda; Williams, Carolyn; Wills, Christine; Wilson, Jennifer; Wrzeszcz, Richard; Zappas, Dawn

Subject: RE: Residents rights

Kevin-

I'm not trying to be funny by asking if there is any possibility that we could "get a room" here at PSSH.

In all seriousness, I am asking this because I have worked at several nursing homes where there is a private intimacy room provided, often called a "cuddle room" for mentally competent residents to exercise their legal right to enjoy sexual activity in the long term care setting. Over the course of my nursing career I have seen where residents who are care planned for sexual relationships in the comfort and privacy of their rooms are often not careful about pulling the drapes in the room during the heat and passion of the intimate moment. This makes their roommates uncomfortable and becomes problematic.

In one case, a facility that I was working at through staffing agency got in trouble when a roommate with conflicting values had witnessed more lovemaking activity between her roommate and another resident than she cared to tolerate, so she called the police on her cellphone one Saturday on 11-7 shift. Like most nursing homes, there was not enough staff in the building that night to competently provide oversight and ensure privacy. The police then involved Adult

Protective Services and DOH. It became a big issue since the female sexual partner was screened and determined to be "moderately cognitively impaired."

I was looking just now on the O drive, and I don't see any Intimacy guidelines policy. Is there a policy in place establishing a framework for managing the tension between competing values and legal rights of our residents in the context of these intimate relationships and sexual activities? After all, while we do have a responsibility to respect the personhood of those long term care residents who wish to be sexually active, we should also be providing protective oversight and respecting the legal rights of their roommates, (and other residents,) to be free from unwanted exposure to witnessing sexual activity in the long term care setting.

Also, if something like this does happen on the weekend, (or at night) at a time when there is no social worker, Ombudsman or Psychiatrist in the building to determine competency and volition, how should we determine that residents are mentally competent consenting adults whose participation in an intimate relationship or sexual activity is willing, unforced and free from coercion? By what standard ought a resident's willingness to participate in an intimate relationship or engage in sexual activity be measured during non-office hours?

For example, suppose on a Friday night at 11:00pm two residents are found in an intimate situation. Upon questioning, both residents seem to express willingness to engage in sexual activity, and are therefore permitted by staff to engage in sexual activity over the weekend. The following Monday, one or both are evaluated, and one or both is determined to suffer from "moderate cognitive impairment," and not considered to be legally competent to consent to sexual activity. Are we more liable for infringing on residents legal rights if we separate the two residents for the rest of the weekend until competency and volition can be determined the following Monday? Or are we more liable if we falsely assume competency and willingness based on the initial interview by the floor nurse and supervisor, of residents who are later screened and determined not to be legally competent to consent to sexual activity? The floor nurses do not have access to any sort of cognitive impairment screening tools such as BIMS or MMSE. As far as I know the RNS office doesn't have access to cognitive impairment screening tools either. Please advise us as to what should we do if it is a Friday night at 11:00 pm and two residents are discovered to be engaged in intimate activity. Also please excuse me if I overlooked the policy on the O drive. I looked under "Resident Rights."

Nancy Lewen

From: McLaughlin, Kevin

Sent: Thursday, January 28, 2016 10:15 AM

To: Lewen, Nancy; Adebayo, Adeola; Astemborski, Jennifer; Baca, Donna; Baginski, Alan; Basnet, Gopal; Biby, Beth; Bickel, Paula; Birchard, Janet; Blasic, Barry; Bloeser, Denise; Bongutu, Young; Boyd, Denise; Boyd, Pamela; Brink, Charles; Burke, Ann; Cancilla, Jason; Carmichael, Tina; Carney, Colleen; Carothers, Amiesh; Carr, Charmaine; Cilluffo, Candace; Cooley, Alyssa; Cubero, Deborah; Cuzzola, Debra; Darby, Tavonna; Dickey, Jodie L; Duck, Lakeya; Dunlap, Letesha; Evans, Charles; Evans, Jennifer; Fabrizi-Romanski, Catina; Fehlman, Joanna; Fike, Michele; Foster, Kathleen; Garcia-Nieves, Xiomara; Grayson, Amy; Green, Cassie; Gresh, Cynthia Marie; Grippe, Shaun; Haight, Peggy; Hamilton, Veronica; Hamm, Raymond; Harden, Henry Joseph; Harris, Carlisha; Hazlett, Regina M; Henderson, Tanesha; Heubel, Emily; Hinkler-Zaborowski, Adelheid; Holmes, Monique; Humes, Jean; Jones, Marjorie; Jones, Yvonne; Karpinski, Kerry; Kenna, Kristy; King, Penny; Kirkland, Jill R; Kovacevic, Emila; Krahe, Karen; Lagana, Kelli; Langford, Kenneth; Lemke, Francesca; Lentz, Teresa; Marzka, Wilma; McMahon, Kenneth; Mead, Beth; Miller, Vickie; Mingo, Celena; Mitchell, Carla; Mohra, Julie; Mohra, Scott; Morgan, Marcus; Morgan, Pauline; Nowosielski, Sharie; Osborne, Katie; Pears, Christine; Peres, Nancy; Petroff, Heather; Pickens, Cassaundra; Ponder, Daphne; Ratcliff, Ernestine; Raun, Kristen; Rice, Laurie; Roberts, Brenda; Roberts, Brittiney; Roberts, Letitia; Roberts, Michelle; Robison, Valonia; Rogers, Sheryl; Rosa, Johanna; Ross, Jennie; Ruiz, Leslie; Slupski, John; Solari, Marissa; Spiegel, Denise; Sprickman, Katie; Stewart, Jillian Eve; Sutton, Susan; Swantek, Nicholas; Tate, Peter; Taylor, Charise; Thompson, Fannie; Townes, Gail; Ward, Watisha; Wayne-Roberts, Jessica; White, Priscilla; Wilkinson, Rhonda; Williams, Carolyn; Wills, Christine; Wilson, Jennifer; Wrzeszcz, Richard; Zappas, Dawn

Subject: RE: Residents rights

Case 1:17-cv-00148-SPB Document 97-2 Filed 11/14/19 Page 3 of 4

Thompson, Fannie; Townes, Gail; Ward, Watisssha; Wayne-Roberts, Jessica; White, Priscilla; Wilkinson, Rhonda; Williams, Carolyn; Wills, Christine; Wilson, Jennifer; Wrzeszcz, Richard; Zappas, Dawn
Subject: RE: Residents rights

I'm sorry, I meant to write S [REDACTED] and M [REDACTED]

From: McLaughlin, Kevin

Sent: Wednesday, January 27, 2016 12:48 PM

To: Adebayo, Adeola; Astemborski, Jennifer; Baca, Donna; Baginski, Alan; Basnet, Gopal; Biby, Beth; Bickel, Paula; Birchard, Janet; Blasic, Barry; Bloeser, Denise; Bongutu, Young; Boyd, Denise; Boyd, Pamela; Brink, Charles; Burke, Ann; Cancilla, Jason; Carmichael, Tina; Carney, Colleen; Carothers, Amlesh; Carr, Charmane; Cilluffo, Candace; Cooley, Alyssa; Cubero, Deborah; Cuzzola, Debra; Darby, Tavonna; Dickey, Jodie L; Duck, Lakeya; Dunlap, Letesha; Evans, Charles; Evans, Jennifer; Fabrizi-Romanski, Catina; Fehlman, Joanna; Fike, Michele; Foster, Kathleen; Garcia-Nieves, Xiomara; Grayson, Amy; Green, Cassie; Gresh, Cynthia Marie; Grippe, Shaun; Haight, Peggy; Hamilton, Veronica; Hamm, Raymond; Harden, Henry Joseph; Harris, Carlisha; Hazlett, Regina M; Henderson, Tanesha; Heubel, Emily; Hinkler-Zaborowski, Adelheid; Holmes, Monique; Humes, Jean; Jones, Marjorie; Jones, Yvonne; Karpinski, Kerry; Kenna, Kristy; King, Penny; Kirkland, Jill R; Kovacevic, Emila; Krahe, Karen; Lagana, Kelli; Langford, Kenneth; Lemke, Francesca; Lentz, Teresa; Lewen, Nancy; Marzka, Wilma; McMahon, Kenneth; Mead, Beth; Miller, Vickie; Mingo, Celena; Mitchell, Carla; Mohra, Julie; Mohra, Scott; Morgan, Marcus; Morgan, Pauline; Nowosielski, Sharie; Osborne, Katie; Pears, Christine; Peres, Nancy; Petroff, Heather; Pickens, Cassandra; Ponder, Daphne; Ratcliff, Ernestine; Raun, Kristen; Rice, Laurie; Roberts, Brenda; Roberts, Brittainy; Roberts, Letitia; Roberts, Michelle; Robison, Valonia; Rogers, Sheryl; Rosa, Johanna; Ross, Jennie; Ruiz, Leslie; Slupski, John; Solan, Marissa; Spiegel, Denise; Sprickman, Katie; Stewart, Jillian Eve; Sutton, Susan; Swantek, Nicholas; Tate, Peter; Taylor, Charise; Thompson, Fannie; Townes, Gail; Ward, Watisssha; Wayne-Roberts, Jessica; White, Priscilla; Wilkinson, Rhonda; Williams, Carolyn; Wills, Christine; Wilson, Jennifer; Wrzeszcz, Richard; Zappas, Dawn
Subject: Residents rights

We have documented in care plans that residents S [REDACTED] and M [REDACTED] are appropriate to have a relationship. If in doubt about how to handle a situation between them, please review their careplans.

Thanks

Kevin McLaughlin | Assistant Director of Nursing

PA Department of Military and Veterans Affairs | Bureau of Veterans Homes

Pennsylvania Soldiers' & Sailors' Home of Erie

560 East 3rd Street | Erie, PA 16507

Phone: 814.878.4956 | Fax: 814.878.4992

www.dmva.state.pa.us

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E-Mail: kemclaughl@pa.gov

Keep in mind, it doesn't have to be multiple occurrences to be an unwanted sexual advance. We must document and report any inappropriate behaviors.

From: Lewen, Nancy

Sent: Wednesday, January 27, 2016 11:25 PM

To: McLaughlin, Kevin; Adebayo, Adeola; Astemborski, Jennifer; Baca, Donna; Baginski, Alan; Basnet, Gopal; Biby, Beth; Bickel, Paula; Birchard, Janet; Blasic, Barry; Bloeser, Denise; Bongutu, Young; Boyd, Denise; Boyd, Pamela; Brink, Charles; Burke, Ann; Cancilla, Jason; Carmichael, Tina; Carney, Colleen; Carothers, Amiesh; Carr, Charmane; Cilluffo, Candace; Cooley, Alyssa; Cubero, Deborah; Cuzzola, Debra; Darby, Tavonna; Dickey, Jodie L; Duck, Lakeya; Dunlap, Letesha; Evans, Charles; Evans, Jennifer; Fabrizi-Romanski, Catina; Fehlman, Joanna; Fike, Michele; Foster, Kathleen; Garcia-Nieves, Xiomara; Grayson, Amy; Green, Cassie; Gresh, Cynthia Marie; Grippe, Shaun; Haight, Peggy; Hamilton, Veronica; Hamm, Raymond; Harden, Henry Joseph; Harris, Carlisha; Hazlett, Regina M; Henderson, Tanesha; Heubel, Emily; Hinkler-Zaborowski, Adelheid; Holmes, Monique; Humes, Jean; Jones, Marjorie; Jones, Yvonne; Karpinski, Kerry; Kenna, Kristy; King, Penny; Kirkland, Jill R; Kovacevic, Emila; Krahe, Karen; Lagana, Kelli; Langford, Kenneth; Lemke, Francesca; Lentz, Teresa; Marzka, Wilma; McMahon, Kenneth; Mead, Beth; Miller, Vickie; Mingo, Celena; Mitchell, Carla; Mohra, Julie; Mohra, Scott; Morgan, Marcus; Morgan, Pauline; Nowosielski, Sharie; Osborne, Katie; Pears, Christine; Peres, Nancy; Petroff, Heather; Pickens, Cassandra; Ponder, Daphne; Ratcliff, Ernestine; Raun, Kristen; Rice, Laurie; Roberts, Brenda; Roberts, Brittainy; Roberts, Letitia; Roberts, Michelle; Robison, Valonia; Rogers, Sheryl; Rosa, Johanna; Ross, Jennie; Ruiz, Leslie; Slupski, John; Solan, Marissa; Spiegel, Denise; Sprickman, Katie; Stewart, Jillian Eve; Sutton, Susan; Swantek, Nicholas; Tate, Peter; Taylor, Charise; Thompson, Fannie; Townes, Gail; Ward, Watisha; Wayne-Roberts, Jessica; White, Priscilla; Wilkinson, Rhonda; Williams, Carolyn; Wills, Christine; Wilson, Jennifer; Wrzeszcz, Richard; Zappas, Dawn

Subject: RE: Residents' rights

I also noticed Mr. M. [REDACTED] holding hands one day last week in the dining room with his table mate, Mr. R. [REDACTED]. In that particular case, I don't think it's an ongoing "relationship" as much as just an isolated harmless one time flirtation, so I didn't see a need to update the care plan or even chart on it. It might be something to keep an eye on though, so that it can be charted on and care planned appropriately if a romance does develop between the two at some point.

Nancy Lewen LPN

From: McLaughlin, Kevin

Sent: Wednesday, January 27, 2016 1:00 PM

To: Adebayo, Adeola; Astemborski, Jennifer; Baca, Donna; Baginski, Alan; Basnet, Gopal; Biby, Beth; Bickel, Paula; Birchard, Janet; Blasic, Barry; Bloeser, Denise; Bongutu, Young; Boyd, Denise; Boyd, Pamela; Brink, Charles; Burke, Ann; Cancilla, Jason; Carmichael, Tina; Carney, Colleen; Carothers, Amiesh; Carr, Charmane; Cilluffo, Candace; Cooley, Alyssa; Cubero, Deborah; Cuzzola, Debra; Darby, Tavonna; Dickey, Jodie L; Duck, Lakeya; Dunlap, Letesha; Evans, Charles; Evans, Jennifer; Fabrizi-Romanski, Catina; Fehlman, Joanna; Fike, Michele; Foster, Kathleen; Garcia-Nieves, Xiomara; Grayson, Amy; Green, Cassie; Gresh, Cynthia Marie; Grippe, Shaun; Haight, Peggy; Hamilton, Veronica; Hamm, Raymond; Harden, Henry Joseph; Harris, Carlisha; Hazlett, Regina M; Henderson, Tanesha; Heubel, Emily; Hinkler-Zaborowski, Adelheid; Holmes, Monique; Humes, Jean; Jones, Marjorie; Jones, Yvonne; Karpinski, Kerry; Kenna, Kristy; King, Penny; Kirkland, Jill R; Kovacevic, Emila; Krahe, Karen; Lagana, Kelli; Langford, Kenneth; Lemke, Francesca; Lentz, Teresa; Lewen, Nancy; Marzka, Wilma; McMahon, Kenneth; Mead, Beth; Miller, Vickie; Mingo, Celena; Mitchell, Carla; Mohra, Julie; Mohra, Scott; Morgan, Marcus; Morgan, Pauline; Nowosielski, Sharie; Osborne, Katie; Pears, Christine; Peres, Nancy; Petroff, Heather; Pickens, Cassandra; Ponder, Daphne; Ratcliff, Ernestine; Raun, Kristen; Rice, Laurie; Roberts, Brenda; Roberts, Brittainy; Roberts, Letitia; Roberts, Michelle; Robison, Valonia; Rogers, Sheryl; Rosa, Johanna; Ross, Jennie; Ruiz, Leslie; Slupski, John; Solan, Marissa; Spiegel, Denise; Sprickman, Katie; Stewart, Jillian Eve; Sutton, Susan; Swantek, Nicholas; Tate, Peter; Taylor, Charise;

DEFENDANT - SMF
EXHIBIT 28

Declarative Statement

1. I, Barbara Raymond, currently hold the position of Commandant of the Pennsylvania Soldiers and Sailors Home in Erie PA.
2. In 2015 I oversaw the entire operations for the Pennsylvania Soldiers & Sailors Home, this includes budget and strategic planning for the facility, regulatory oversight and compliance, including policy development, leadership and management of various individual department heads such as the Director of Nursing, the Social Services Director, Quality Assurance Coordinator, Admissions & Marketing Coordinator to name a few.
3. My management of the nursing department is through the Director of Nursing. The Director of Nursing has Assistant Directors of Nursing report directly to her, the Assistant Directors of Nursing have the Registered Nurses report directly to them, the Registered Nurses, Licensed Practical Nurses and Certified Nurses' Aides report directly to the Registered Nurse Supervisor. This chain of command would be utilized for concerns, issues, information, complaints, essentially most communications. The importance of following the chain of command is to ensure these concerns, issues, information, complaints, or grievances of any type may be quickly acted upon, but particularly with any concerns regarding quality of care of the residents; following the proper chain of command safeguards against delays in managing the problem by the ability to complete a proper investigation and appropriate resolution. Various meetings are held routinely to address resident care where, provided proper chain of command is followed, issues will be addressed in a more systematic approach where things are not inadvertently missed, and accountability can be assigned. Meetings about direct resident care are held daily, weekly, and as needed meetings are held with my management team to address operational needs and changes, which can & do affect resident care. Monthly and as needed meetings are held with the various departments including the nursing department where changes are reviewed as well as updates to policies and procedures.
4. The nurse's duties are varied from passing medications, performing skin treatments, evaluating various body systems – from neurological to gastrointestinal, updating families on changes, assisting with activities of daily living.
5. All applicable laws, regulations and internal policies are followed at Pennsylvania Soldiers & Sailors Home, including abuse policies pertaining to sexual abuse.
6. When the Department of Health receives a complaint, the process is as follows: the Department of Health Surveyor enters the building, or on a rare occasion will call the facility, they ask for a roster, at the time called an 802, of resident names and other information such as medications, falls, skin concerns. From that roster the surveyors will request resident records, such as charts, medication administration records, skin care documentation, lab information, diagnostic results. The surveyors will then often ask for policies, particularly if they feel something was not completed correctly. After the surveyors conclude their investigation of the concern, they will briefly meet with the Administrator to review the potential findings of concerns if any. They surveyors inform the Administrator they will review the findings with their supervisor at their Field Office. The Administrator will receive a form called a 2567 from the Department of Health with the official citations. Depending on the complaint this process takes the Administrator, Director of Nursing, Assistant Directors of Nursing, Quality Assurance, various other staff members away from day to day duties and resident care, the complaint survey alone takes an entire day or days of time away from monitoring and improving resident care, depending upon citations found it will take days and weeks away from resident care to follow the required correction process.

VERIFICATION

I, Barbara Raymond, hereby state that the foregoing declarative is true and correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 28 U.S.C. §1746 relating to unsworn declarations under penalty of perjury, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

Date: 05/25/2020

Signed: 

DEFENDANT - SMF
EXHIBIT 29

AFFIDAVIT OF SUSAN WILLIAMSON, DIRECTOR
DIVISION OF NURSING CARE FACILITIES

1. I am currently employed as the Director of the Division of Nursing Care Facilities for the Pennsylvania Department of Health.
2. The Pennsylvania Department of Health is responsible for licensing and regulating nursing homes in Pennsylvania.
3. I worked in this capacity in 2015 and 2016.
4. Whenever an individual wants to file a complaint against a nursing home, they can do so directly to the Division of Nursing Care Facilities.
5. When a complaint is received, either from correspondence, phone call, email or completion of an online complaint form, the complaint is logged and processed.
6. All complaints are forwarded to the appropriate region and field office so that it can be assigned to a surveyor.
7. Surveyors are trained investigators with a background in nursing, social work or nutrition. Typically, surveyors go to nursing care facilities and investigate the nature of the complaint.
8. When a survey is completed, the survey results are posted online for the public to see.
9. If a facility has engaged in deficient practices, then they can receive a sanction. Sanctions include civil money penalties, bans on admissions or receipt of a provisional license.
10. The name of the complainant is confidential, unless the complainant states otherwise, and is not shared with the facility during the survey.
11. At no time is the name of the complainant made public by the Department.

I verify that the statements in this document are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

/s/ *Susan J Williamson*
Susan Williamson, Director
Division Nursing Care Facilities

DEFENDANT - SMF
EXHIBIT 30

3/7/2016

Barry Blasic

I have been a co-worker with Nancy Lewen (referred to as NL) for just over one year. She began on third shift during the period when I also worked third. We occasionally would work together on the same unit.

I have been going through a divorce during the same mentioned time frame. I have spoken openly with many of my co-workers regarding my divorce so it is common knowledge in the workplace.

NL sent me a "friend request" on Facebook in August of 2015 which I accepted. The majority of NL's messages have been unassuming. On New year's Eve NL began a series of messages regarding a day trip to the Cleveland Museum of Art. NL even went as far to specify "purely as friends" in the initial request.

These are copies of the original messages which have been archived on my account. Pictures/photos won't copy & paste but are viewable on my account.

- **Facebook User** 1/3, 8:23am

I know you are artistically inclined Barry. The Cleveland Museum of Art has an Egyptian Art exhibit coming soon and they also have Baroque style religious art. My question is, are you evolved enough to ever want to go do something like this, purely as friends, with a middle aged super nerdy gray haired and wrinkled fat chick? It would obviously be about a 10 hour day trip, in the Spring. I'd prefer that you drove because I'm like that, but I may ask that we take my car since I don't get enough road trips these days to blow out the carbon. I find the hidden messages in Baroque and Reformation era art very interesting. Artists from that very dangerous era in European history were pure genius to so cleverly hide the truth in plain sight.

- **Facebook User**

Something like that. He's a nice guy though and does deliver furniture cheaply

So you will go with me to the Cleveland museum of art?



1/3, 4:08pm

Show Images

Barry Blasic

I would enjoy that.

1/3, 5:32pm

[Show Images](#)

Facebook User

There's another one coming up too.



1/3, 5:36pm

[Show Images](#)

Barry Blasic

Ok I'll have to look and figure something out. Remind me so I don't forget



1/3, 5:38pm

[Show Images](#)

Facebook User

Ok. I know it's going to be a scheduling feat, but I do have holiday hours and vacation hours available.

I'm glad you decided to go on a date Barry. . I promise not to play games or hurt you. I promise not to be over demanding. Only thing I can't promise is that I might automatically try to grab your hand out of habit.

January 5



1/5, 9:07am

[Show Images](#)

Facebook User

I didn't want to say this publicly at work this morning as your nurse coworker, but as your secret off duty nurse friend and dating coach I need to tell you Barry that you have really pretty eyes, especially when you're being all serious in the middle of a medical crisis. I've always secretly thought that, I just never privately mentioned it before. Having discreetly gotten that off my chest, I can now fall face down into my bed. What a morning...I truly hope you and Peggy have a better rest of the day.

Later the same day when NL stated that she was glad I decided to go on a date I was surprised since that was never my intention. After that the over the top flirting began on NL's end. Links w/images from Men's Health UK showing illustrations of NL's favored sexual positions, innuendoes, etc.

- 1/7, 10:06am

Show Images

Facebook User

I do actually go around the house bra less quite often.



1/7, 10:07am

Show Images

Facebook User

Shoeless too.

- 1/8, 3:01pm

Show Images

Facebook User

I may be known as "grandma" to some people, but I can sort of see where a really intelligent man might consider me a mentally exhausting big booty.



1/9, 5:15am

Show Images

Facebook User

I did Penny's job on C tonight. Next time you see me I will most likely be doing something in the dining room that I think may not be lawful. I'm not sure. Nick agreed with me when I mentioned it.

Fyi- I always come to work wearing a bra with extra heavy duty reinforced straps.



1/9, 5:17am

Show Images

Facebook User

• January 9



1/9, 3:33pm

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On this evening I spoke face to face w/NL when she was my relief and said that "We are not on the same page" as far as dating. I felt that would be enough to clarify my feelings.

Facebook User

Len said you need relieved at 7:00 Larry, but Len didn't elaborate what type of relief you need so I can only assume you need to go home. <https://www.youtube.com/watch?v=cXu7N86K4zE>



1/9, 6:28pm

Show Images

Barry Blasic

Actually 7:45 is when my shift ends.



1/9, 6:44pm

Show Images

Facebook User

Oh. Well I'm over here in the breakroom with the closest I've got to red lipstick. It's dark pink actually, but I managed to pick up tomorrow evening as well from Ken on the way past his office. He said I'm awesome, which I already knew.

I stopped responding to any of her messages after Jan 9th, 2016. NL continued these type of messages until Feb 29, 2016 when I blocked her. Between Feb 27th & 28th she had sent some 60 messages to me and I felt that it was time to stop.

The next day I received the e-mail stating NL was notifying my ex-wife regarding my "dangerous" on-line dating habits. NL went so far as to search for information regarding my ex-wife, and all three children, two who are minors. The number of sexual offenders in the area of my marital home.

I found this behavior unsettling. As I began to talk with others they expressed concern for my personal safety and that of my children and ex-wife. I realized this was far more serious than I had initially thought. I began to look through older messages NL had sent. I found one dated 12/7/2015 that made reference to getting a gun from a vehicle in the parking lot and shooting someone. I immediately forwarded this to my D.O.N.

Any further questions can be directed to me. All referenced messages are available for viewing as needed.

End of statement.

DEFENDANT - SMF
EXHIBIT 31



December 15, 2015

Nancy Lewen
[REDACTED]

Employee# [REDACTED]

Ms. Lewen:


This letter is considered an oral reprimand. The reason for this oral reprimand is your violation of the Department's Standards of Conduct and Work Rule, the facility Wound Care Policy and Department of Health Survey, item 483.25. Specifically, you are charged with Work Performance: Neglect of duty or responsibility for failure to check/change a duoderm patch as required by the resident's treatment plan.

A Pre-Disciplinary Conference (PDC) was scheduled with you on November 25, 2015 and you failed to attend.

Since a recognized bargaining unit covers your position, whether or not you are a member of the union, you may appeal the action at the appropriate step of your labor agreement's grievance procedure.

Repeated offenses of the same or similar nature that occur at any point after the date of your receipt of this letter will result in further discipline.

Should you be experiencing a personal problem which you feel may have contributed to your actions, we urge you to seek the confidential assistance available through the State Employee Assistance Program (SEAP). You can make arrangements for a referral through your supervisor or by calling 1-800-692-7459 (toll free). This number is in service 24 hours a day. SEAP will not disclose information to the workplace without your consent. The provision of this information does not indicate and should not be interpreted to indicate that the Commonwealth regards you as having a disability.


Brian S. Skinner
Human Resources Analyst

Carolyn Williams, RN
Nursing Supervisor

cc: Appropriate Personnel
FIG Labor Relations
Official Personnel Folder

DEFENDANT – SMF
EXHIBIT 32



February 24, 2016

Nancy Lewen
[REDACTED]

Employee# [REDACTED]

Ms. Lewen:

This letter is considered a written reprimand. The reason for this written reprimand is your violation(s) of the Department's Standards of Conduct and Work Rules. You are charged with Work Performance: Neglect of duty or responsibility, including, but not limited to: 1.f. Failure to treat residents of the veterans homes with dignity and respect, or any action which puts a resident in possible harm and/or violates the Department's Prevention of Resident Abuse Policy.

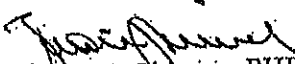
A Pre-Disciplinary Conference (PDC) was held with you on January 10, 2016 and you failed to provide an acceptable explanation for your actions.

~~Since a recognized bargaining unit covers your position, whether or not you are a member of the union, you may appeal the action at the appropriate step of your labor agreement's grievance procedure.~~

Repeated offenses of the same or similar nature that occur at any point after the date of your receipt of this letter will result in further discipline.

Should you be experiencing a personal problem which you feel may have contributed to your actions, we urge you to seek the confidential assistance available through the State Employee Assistance Program (SEAP). You can make arrangements for a referral through your supervisor or by calling 1-800-692-7459 (toll free). This number is in service 24 hours a day. SEAP will not disclose information to the workplace without your consent. The provision of this information does not indicate and should not be interpreted to indicate that the Commonwealth regards you as having a disability.

It is our sincere hope that your record will show improvement and that further discipline will not be necessary.


Brian S. Skinner, PHR
Human Resources Analyst

Carolyn Williams, RN
Registered Nurse Supervisor

cc: Appropriate Personnel
FIG Labor Relations
Official Personnel Folder

